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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,325	03/01/2004	Cheng-Kuang Sun	JCLA12795	1820
23900	7590	01/27/2005	EXAMINER	
J C PATENTS, INC.			VU, HUNG K	
4 VENTURE, SUITE 250			ART UNIT	
IRVINE, CA 92618			PAPER NUMBER	
			2811	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/791,325

Applicant(s)

SUN ET AL.

Examiner

Hung Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the encapsulating material enclosing the first and the second conductive wires, as recited in claim 17, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 6, 8, 9, 11, 12, 14, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Worley (PN 6,710,376).

Worley discloses, as shown in Figures 1A – 5, a chip on photosensitive device package structure, comprising:

a photosensitive device (106,158,208) having an illumination area and a non-illumination area;

a transparent plate (107,160,204) having a first surface and a corresponding second surface, wherein the transparent plate is set on the photosensitive device with the first surface covering the illumination area and the non-illumination area;

a chip set (105,155,206) on the second surface of the transparent plate above the non-illumination area.

With regard to claims 3 and 11, Worley discloses the photosensitive device has an array of photodiodes positioned with the illumination area.

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With regard to claims 4 and 12, Worley discloses the non-illumination area is located at the periphery of the illumination area.

With regard to claims 6 and 14, Worley discloses the photosensitive device comprises a complementary metal-oxide-semiconductor (CMOS) image sensor.

With regard to claims 8 and 16, Worley discloses the chip comprises a signal-processing chip.

With regard to claim 9, Worley discloses, as shown in Figures 1A – 5, an electrical package structure, comprising:

- a circuit substrate (202,203,209);

- a photosensitive device (208) set on the circuit substrate and electrically connected to the circuit substrate through a plurality of first conductive wires (205), wherein the photosensitive device has an illumination area and a non-illumination area;

- a transparent plate (204) having a first surface and a corresponding second surface, wherein the transparent plate is set on the photosensitive device with the first surface covering the illumination area and the non-illumination area;

- a chip (206) set on the second surface of the transparent plate above the non-illumination area and electrically connected to the circuit substrate through a plurality of second conductive wires (215).

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With regard to claim 17, Worley discloses the package further comprises some encapsulating material (201) enclosing the first conductive wires and the second conductive wire.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5, 7, 10, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Worley (PN 6,710,376).

With regard to claims 2 and 10, Worley discloses the claimed invention including a chip on photosensitive device package structure. Worley further discloses the package further comprises a functional circuit set on the second surface of the transparent plate above the non-illumination area. Worley does not disclose the functional circuit comprising a memory device. However, it would have been obvious to form the functional circuit of Worley comprising a memory device in order to perform the desired function.

With regard to claims 5 and 13, Worley discloses the claimed invention including a chip on photosensitive device package structure. Worley further discloses the photosensitive device comprises a CMOS device. Worley does not disclose the photosensitive device comprises a charge coupled device (CCD). However, it would have been obvious to form the photosensitive device of Worley comprising CCD since CCD and CMOS are commonly used as the image

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device and they are interchangeable. Note the Description of Related Art section of the present invention.

With regard to claims 7 and 15, Worley discloses all of the claimed limitations except material of the transparent plate. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the device of Worley having the materials as that claimed by Applicant, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung K. Vu whose telephone number is (571) 272-1666. The examiner can normally be reached on Mon-Thurs 6:00-3:30, alternate Friday 7:00-3:30, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (571) 272-1732. The Central Fax Number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

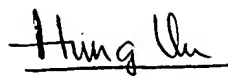
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Vu

January 21, 2005

A handwritten signature in black ink, appearing to read "Hung Vu", written over a horizontal line.

Hung Vu

Primary Examiner